

AGENDA

PASADENA UNIFIED SCHOOL DISTRICT  
Surplus Property "7-11" Committee Meeting  
School Auditorium  
San Rafael Elementary School  
1090 Nithsdale Road  
Pasadena, CA 91105

April 28, 2014 – 5:30 P.M.

1. PRELIMINARY

a. Call to Order \_\_\_\_\_ p.m.

b. Roll Call (Establishment of a Quorum)

- |                       |       |
|-----------------------|-------|
| 1. Karla Cordova      | _____ |
| 2. Darrell Cozen      | _____ |
| 3. Kenyon Harbison    | _____ |
| 4. Rudy Ramirez       | _____ |
| 5. Carla Riggs        | _____ |
| 6. Dorena Rodriguez   | _____ |
| 7. Asma Saraj         | _____ |
| 8. Catherine Stringer | _____ |
| 9. Michael Trujillo   | _____ |
| 10. John Van de Kamp  | _____ |
| 11. Don Watson        | _____ |

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

a. 7-11 Committee Members, District Staff and Consultants, if any

4. APPROVAL OF MINUTES OF March 31, 2014 MEETING and APPROVAL OF MINUTES OF April 17, 2014 MEETING AND PUBLIC HEARING

Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

5. DISCUSSION / ACTION: FINAL RECOMMENDATION OF PRIORITY USES FOR SAN RAFAEL SITE

a. Tally of preferences and tolerances for uses from April 17, 2014 public hearing and Previous Public Meetings

b. Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

6. DISCUSSION / ACTION: PREPARATION OF REPORT TO SCHOOL BOARD

a. Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

7. DISCUSSION / ACTION: TIMELINE AND NEXT COMMITTEE MEETING

a. Discuss topics and timing for next Committee meeting.

8. Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than three (3) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

9. ADJOURNMENT \_\_\_\_\_ p.m.

*San Rafael Surplus Property 7-11 Advisory Committee.*

*The Committee welcomes the input of community members in order to develop the list of priorities, and to identify the limits of tolerance for the use of the Property.*

# DRAFT

---

**DRAFT**

**PASADENA UNIFIED SCHOOL DISTRICT**

**SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE**

**(San Rafael Elementary School Site)**

**FINAL REPORT AND RECOMMENDATION**

**[DATED]**

Submitted by: Don Watson, Chair  
Karla Cordova  
Darrell Cozen  
Kenyon Harbison  
Rudy Ramirez  
Carla Riggs  
Dorena Rodriguez  
Asma Saraj  
Catherine Stringer  
Michael Trujillo  
John Van de Kamp

Administrative support: Ersilia Xocoy

Board Liaison: Dr. John Pappalardo

City Liaison: Eric Duyshart

Legal Counsel: Constance Schwindt, Atkinson, Andelson, Loya, Ruud & Romo  
Suparna Jain, Atkinson, Andelson, Loya, Ruud & Romo

---

Background & Process

Introduction and Process

Pursuant to Education Code Section 17388, et seq., before excess real property is sold or leased, the governing board of a school district must appoint a district advisory committee (“Advisory Committee”) to advise the governing board (“Governing Board”) on the disposition of such property. Education Code Section 17389 requires that the Advisory Committee be composed of not less than seven (7) nor more than eleven (11) members and must be representative of specific groups within the community. The Advisory Committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located. The Advisory Committee’s task is to review data to determine the amount of surplus space or real property available, establish a priority list for its use, provide community input on acceptable uses, and forward its recommendations to the Governing Board.

On \_\_\_\_\_ the Governing Board of the Pasadena Unified School District (“District”) took action and approved the appointment of an Advisory Committee. Based upon Governing Board’s authorization, the District appointed the following individuals to the Advisory Committee:

- |     |                    |  |
|-----|--------------------|--|
| 1.  | Don Watson         | Resident, neighborhood association         |
| 2.  | Karla Cordova      | Teacher                                    |
| 3.  | Darrell Cozen      | Resident, former City Planner,             |
| 4.  | Kenyon Harbison    | Parent, resident, attorney                 |
| 5.  | Rudy Ramirez       | Parent, administrator                      |
| 6.  | Carla Riggs        | Resident, neighborhood association         |
| 7.  | Dorena Rodriguez   | Parent                                     |
| 8.  | Asma Saraj         | Parent, resident,                          |
| 9.  | Catherine Stringer | Parent, resident, neighborhood association |
| 10. | Michael Trujillo   | Business owner                             |
| 11. | John Van de Kamp   | Resident, attorney                         |

Therefore the committee consists of eleven (11) individuals meeting all the required categories of representation.

Between \_\_\_\_ [date] and \_\_\_\_ [date], the Advisory Committee met six (6) times, including two public hearings, to determine whether to recommend to the Governing Board that the property identified below should be declared surplus and, if so, recommend whether it should be sold, leased, or otherwise utilized.

Property Reviewed and Background Information

The Governing Board asked the Advisory Committee to review the following District owned property (the “Property”):

Approximately 3.2 acres, assessor’s parcel number 5715-013-900, located at 1090 Nithsdale Road, Pasadena, California, known generally as the District’s San Rafael Elementary School site. (A legal depiction of the Property is attached hereto as Exhibit “A.”)

In 2011, as part of the District’s modernization program, the Property was to receive upgrades. During the required CGS Review, the District hired a geologist to conduct testing. It was then that the possibility of seismic activity directly underneath the school buildings became known. In an abundance of caution, a second engineer was hired as a peer review to ensure the accuracy of the results since seismic issues are critical to understand and have a significant safety implication to the San Rafael Elementary School.

The results of the District’s testing found that there were multiple active fault lines under the San Rafael Elementary School buildings. Although the San Rafael Elementary School site meets Field Act standards, which are more stringent for K-12 public schools than for any other buildings, including homes and businesses, based on CGS’ analysis and opinion derived from the test results, the District is precluded by DSA from making any improvements to or modernizing the aging San Rafael Elementary School site. In light of its findings that the San Rafael Elementary School is placed directly over fault lines and the unknown future of if or when there will be an earthquake on the Eagle Rock/San Rafael fault system, the District cannot place the school children that are in the District’s charge and care in a potentially unsafe condition. Accordingly, the District Board of Education decided to close the San Rafael Elementary School site and move its program to the District’s former Allendale School site by the 2017-2018 school year.

**Public Meetings**

The Advisory Committee held public meetings on January 27, 2014, February 24, 2014, March 24, 2014, March 31, 2014, April 17, 2014, April 28, 2014, and [REDACTED], 2014 to discuss the possible disposition of the Property and corresponding priority uses. The Advisory Committee’s March 24, 2014 and April 17, 2014 public meetings included a noticed Public Hearing and took place at the Auditorium located at the San Rafael Elementary School site, located at 1090 Nithsdale Road, Pasadena, California 91105.

During these committee meetings and Public Hearings, the Advisory Committee reviewed the enrollment capacities and projections as required by law, discussed whether the District has a need and use for Property, seismic issues related to the Property that impact the Property’s use, and the of the types of uses for the Property that would be acceptable to the community, and the types of uses that would not be acceptable to the community. The Priority Use List that was circulated prior to the first Public Hearing on March 24, 2014 is attached hereto as Exhibit B. The Priority Use List that was circulated prior to the second Public Hearing on April 17, 2014 is attached hereto as Exhibit C. A summary of the meetings and the items discussed, testimony and information reviewed by the Committee can be found in Exhibit D [which includes the following: meeting minutes, public surveys, timelines, and/or such items the Committee would like to include ].

**Consideration and Impacts**

**[THE FOLLOWING IS AN EXAMPLE OF WHAT THIS SECTION COULD LOOK LIKE. THIS IS WHERE THE COMMITTEE CAN INFORM THE BOARD OF ANY NUMBER OF ISSUES AND/OR CONSIDERATIONS THAT THE COMMITTEE AND/OR THE PUBLIC DISCUSSED OR RAISED DURING THIS PROCESS. THIS SECTION CAN BE AS LONG OR AS SHORT AS THE ADVISORY COMMITTEE WANTS]**

[Throughout the course of the Advisory Committee’s review process and deliberations, considerable time was spent reviewing and considering the Property’s seismic issues, the value of having a school on the Property,

whether or not the San Rafael Elementary School should have been closed, and the community's strong desire to maintain a school on the Property.

The Advisory Committee was particularly concerned about \_\_\_\_\_.

In addition to the Advisory Committee's recommendation below, the Advisory Committee believes that Governing Board should consider \_\_\_\_\_.

The Advisory Committee discussed \_\_\_\_\_ and expressed concern with \_\_\_\_\_.]

**Final Determination & Recommendation**

At this time the Advisory Committee has the following recommendations for the Board of Education:

1. That the Property \_\_\_\_\_ [select one: be declared surplus or not be declared surplus].
2. That the Property \_\_\_\_\_ [Insert first priority of use: Example for sale: "That the Property be sold at the Property's highest and best use value".]
3. That the Property \_\_\_\_\_ [Insert second priority of use, if any: Example for lease: "That the Property, should such sale not come to fruition, be leased for use as a private school" ].
4. That the Property \_\_\_\_\_ [Insert third priority of use, if any: Example for Exchange: Should such lease not come to fruition, Exchange the Property in accordance with Education Code Section 17536, et seq."]

**[OPTIONAL:** Furthermore, the Advisory Committee requests that the Board take into consideration the following:

**INSERT LIST OF SPECIFIC CONSIDERATIONS, IF ANY. CONSIDERATIONS CAN BE ANYTHING THE COMMITTEE BELIEVES IMPORTANT FOR THE BOARD TO CONSIDER AS IT MOVES FORWARD, SUCH AS THE TIMING, ETC. ]**

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

Pasadena Unified School District  
Surplus Property "7-11" Advisory Committee  
San Rafael Elementary School  
School Auditorium  
1090 Nithsdale Road  
Pasadena, CA 91105  
Draft Minutes of April 17, 2014

---

DRAFT MEETING SUMMARY

---

**PRELIMINARY**

The meeting was called to order at 7:09 p.m. in the School Auditorium of the San Rafael Elementary School by Mr. Harbison. The pledge of allegiance was conducted.

**ROLL CALL**

Members present: Darrell Cozen, Kenyon Harbison, Rudy Ramirez, Dorena Rodriguez, Catherine Stringer, Michael Trujillo, and John Van de Kamp.

Others Present: Dr. Pappalardo (CFO), Terry Tao (AALRR), Suparna Jain (AALRR), Eric Duyshart (City of Pasadena).

**APPROVAL OF MINUTES**

Motion made by committee member Darrell Cozen and seconded by committee member Catherine Stringer to approve the March 24, 2014 Meeting and Public Hearing minutes. Committee member Darrell Cozen brought up some revisions he would like to see in March 31, 2014 meeting minutes. All Committee members present voted to have revised March 31, 2014 meeting minutes brought back to next meeting for approval.

**PUBLIC HEARING ON SAN RAFAEL SITE**

- Commenced at 7:26 p.m.
- Vice-Chair Kenyon Harbison provided background as to the committee purpose and input the committee is seeking from the public.
- Speakers:
  - Andy Gooden: Stated he would like to keep a public school on the property. Adult Rehab facility and commercial or retail space would not be acceptable. If cannot remain a public school preferences for use of

Pasadena Unified School District

Surplus Property "7-11" Advisory Committee

property: 1) leased to private/charter school; 2) sold and made into single family homes (no multi-family dwellings), and 3) park/public space.

- Don Lomas: Concerned about timing and notice of meeting did not think there was enough lead time. Would like to keep the site a public school or rebuild to be a public school.
- Lorie Musagian: Expressed concern about the meeting and its timing – especially it being Holy Week for multiple faiths. Would like to see site remain a public school or school site – something that remains attractive to the neighborhood. Stated she was concerned about the off-street parking. Stated the survey should be made more widely passed around.
- Robert Goodwin: Expressed concern about rumors of eminent domain. Asked why a public school would not be okay but a private or charter school would be? Kenyon addressed his question. Would not like to see trenching or 3 story building covering over his house. Also expressed concern over the lack of parking & wanting anything at the site to better manage parking and traffic control. Would like to get rid of the temporary sheds and would not like to see a non-elementary school.

City representative Eric Duyshart discussed site's PS zoning and stated that any use would be based on a conditional use permit and would go through public process of public hearings

- Elaine: Resident, stated she has seen more and more middle class families putting their children in public schools and that it would be a tragedy to not have a school in the area. If a public school could not be in the area, her preferences are 1) charter school; 2) public school. Concerned with property value if no school
- Fred Johnson: Resident, stated that his greatest concern was over the site remaining a vacant lot like Linda Vista. Stated that in whatever way the site is used, it happens in a concerted and timely manner
- Kira Saenz de Maturana: would like to keep San Rafael a public school, would like to see if District could explore variations or any and all options. If cannot remain a public school would like to see single family lots that blend with the neighborhood.
- Hugh: Resident; expressed concerns about eminent domain rumor; stated that school has been a good neighbor; and would be nice if school could be retrofitted to remain a public school.
- Shandy Carlson: Would like to see school stay a public school and get Linda Vista open as a public school. If cannot remain a public school,

## Pasadena Unified School District

### Surplus Property "7-11" Advisory Committee

would like to see a charter school – but depending on population it would serve

- Robert Bucks: Would like the long term effects on the children and middle class of not having a public school to be considered. Stated if cannot be a school would like to see a short tem lease of the site.

Committee member John Van de Kamp – took poll of audience – How many present recommend that committee recommend that the Board do everything possible to find out earthquake fault is under the school. All members of the public present raised their hand.

- David: Parent, stated school had exceeded his expectations and cautioned that once property is sold it is gone forever. Would like to keep site so even in future could maybe be accessible to the public.
- Resident/Former Teacher: she expressed appreciation for Principal Ramirez.

### **DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING**

- Next Public Meeting was scheduled for Monday, April 28, 2014 at San Rafael School Auditorium at 5:30p.m.

### **COMMENTS FROM PUBLIC**

Comments made regarding on dealing with schools in California and the prevalence of earthquake fault. Terry Tao commented on seismic issues confronting public schools and the regulations they are subject to.

### **ADJOURNMENT**

The meeting adjourned at 8:37PM.

AGENDA

PASADENA UNIFIED SCHOOL DISTRICT  
Surplus Property "7-11" Committee Meeting  
School Auditorium  
San Rafael Elementary School  
1090 Nithsdale Road  
Pasadena, CA 91105

April 28, 2014 – 5:30 P.M.

1. PRELIMINARY

a. Call to Order \_\_\_\_\_ p.m.

b. Roll Call (Establishment of a Quorum)

- |                       |       |
|-----------------------|-------|
| 1. Karla Cordova      | _____ |
| 2. Darrell Cozen      | _____ |
| 3. Kenyon Harbison    | _____ |
| 4. Rudy Ramirez       | _____ |
| 5. Carla Riggs        | _____ |
| 6. Dorena Rodriguez   | _____ |
| 7. Asma Saraj         | _____ |
| 8. Catherine Stringer | _____ |
| 9. Michael Trujillo   | _____ |
| 10. John Van de Kamp  | _____ |
| 11. Don Watson        | _____ |

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

a. 7-11 Committee Members, District Staff and Consultants, if any

4. APPROVAL OF MINUTES OF March 31, 2014 MEETING and APPROVAL OF MINUTES OF April 17, 2014 MEETING AND PUBLIC HEARING

Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

5. DISCUSSION / ACTION: FINAL RECOMMENDATION OF PRIORITY USES FOR SAN RAFAEL SITE

a. Tally of preferences and tolerances for uses from April 17, 2014 public hearing and Previous Public Meetings

b. Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

6. DISCUSSION / ACTION: PREPARATION OF REPORT TO SCHOOL BOARD

a. Motion By \_\_\_\_\_ Seconded by \_\_\_\_ Vote \_\_\_\_\_

7. DISCUSSION / ACTION: TIMELINE AND NEXT COMMITTEE MEETING

a. Discuss topics and timing for next Committee meeting.

8. Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than three (3) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

9. ADJOURNMENT \_\_\_\_\_ p.m.

*San Rafael Surplus Property 7-11 Advisory Committee.*

*The Committee welcomes the input of community members in order to develop the list of priorities, and to identify the limits of tolerance for the use of the Property.*